

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/922,087	TOBY J. MILES
	Examiner	Art Unit
	Octavia Davis	2855

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- The communication is responsive to Applicant's amendment filed 10/20/03.
- The allowed claim(s) is/are 1-3,5,7-26,28 and 30-36.
- The drawings filed on 8/6/01 are accepted by the Examiner.
- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - All
  - Some\*
  - None
  - Certified copies of the priority documents have been received.
  - Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.
- Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - The translation of the foreign language provisional application has been received.
- Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

- CORRECTED DRAWINGS must be submitted.
  - including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - hereto or 2)  to Paper No. \_\_\_\_.
  - including changes required by the proposed drawing correction filed \_\_\_\_, which has been approved by the Examiner.
  - including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- Notice of References Cited (PTO-892)
- Notice of Draftsperson's Patent Drawing Review (PTO-948)
- Information Disclosure Statements (PTO-1449), Paper No. \_\_\_\_.
- Examiner's Comment Regarding Requirement for Deposit of Biological Material

- Notice of Informal Patent Application (PTO-152)
- Interview Summary (PTO-413), Paper No. \_\_\_\_.
- Examiner's Amendment/Comment
- Examiner's Statement of Reasons for Allowance
- Other

  
**EDWARD J. LEFKOWITZ**  
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